

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

January 13, 2010

Charles R. Fulbruge III
Clerk

No. 09-10304

No. 09-10305

Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ALEJANDRO AGUIRRE-MORALES,

Defendant-Appellant.

Appeals from the United States District Court
for the Northern District of Texas
No. 3:08-CR-312-1
No. 3:09-CR-11-1

Before DAVIS, SMITH, and DENNIS, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Alejandro Aguirre-Morales has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Aguirre-Morales has not filed a response. Our independent review of the record and counsel's brief disclose no nonfrivolous issue for appeal. Accordingly, the motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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APPEAL IS DISMISSED. *See* 5TH CIR. R. 42.2.